



Lambda Letters Project  
Lavender Library, Archives  
and Cultural Exchange  
Sacramento, CA

32633

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## A Moral Issue

by Boyce Hinman, Chief Lobbyist

Lesbian, gay, and bisexual rights are clearly light years ahead of transgender rights in California and the nation. The first three groups suffer much less harassment, vilification, and discrimination than the transgendered do. I am open about being gay just about everywhere: with my family, my church, my doctor's office, my neighbors, and in retail stores. Yet it is very rare that I experience any noticeable problem about being gay. Some churches are even performing marriages for same-sex couples.

Several years ago California's Fair Employment and Housing Act was amended to ban sexual orientation-based employment and housing discrimination. This law protects lesbians, gays, and bisexuals, but not transgendered people. In 1999 AB 26, the domestic partner registration bill, was passed by the California legislature and signed by the governor. This bill recognizes same-gender families by letting same-gender couples register with the state as domestic partners. AB 26 offers an unprecedented degree of recognition and respect for lesbians, gays, and bisexuals.

Postoperative transsexuals are permitted in California to get court-ordered revised birth certificates,

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## Our Families Matter

by Boyce Hinman, Chief Lobbyist

For years our community's leaders have been saying that same-sex couples are creating families in increasing numbers. Now we have concrete evidence of this fact. The most recent U.S. census has found a startling increase in the number of same-sex couples in this country. The Census Bureau is releasing the information slowly, so we don't have all the data yet, but the facts that we do have are startling.

According to the 2000 census, more than 3,600 same-sex couples live in Washington DC. That's a 66 percent increase over the figures reported in the 1990 census. There were much greater increases in the ten states whose data have been released by the Census Bureau so far. For example, there was an increase in same-sex couples of over 700 percent in Delaware and Nevada. There was an increase of over 400 percent in Vermont, Indiana, Louisiana, and Nebraska. There was an increase of over 200 percent in Connecticut, Illinois, Massachusetts, and Montana. Increasingly heterosexual families will be living side by side with families led by same-gender couples. That is bound to have a positive effect, helping to allay straight people's fears and prejudices about our community.

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## Lambda Letters Progress Report

### Messages Collected

May, 2001	9,652 letters & e-mails
In all of 2001	21,202 letters & e-mails

### Dollars Spent

May, 2001	\$3,808
In all of 2001	\$19,830

### Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

# Lambda Letters Project

## Mission Statement

To promote people of color, feminist, lesbian, gay, bisexual, transgender, and HIV/AIDS status advocacy, and to bring people of color, women, lesbians, gays, bisexuals, transgendered persons, and persons affected by or living with HIV/AIDS into full participation in American society.

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## Support Our Families

by Boyce Hinman, Chief Lobbyist

In 1999 the Legislature passed AB 26, by Carole Migden (D-San Francisco). That bill established the State Registry of Domestic Partners, allowing same-sex couples and certain senior citizen, opposite-gender couples to register their partnership with the state of California. All such couples were guaranteed hospital visitation rights by the bill and some state and local government employees were permitted to put their domestic partners on their employer-provided health insurance. However, for most domestic partners the benefits provided by AB 26 were very limited.

AB 25, "Domestic Partnerships," introduced this year by Assemblymember Migden, seeks to remedy the situation by giving several new rights to domestic partners. For example, it would allow opposite-gender senior citizen couples to register as domestic partners if one of them is over 62 (currently both must be over 62); allow people to make medical decisions for their partners under certain circumstances; require certain insurers to offer domestic partner coverage in their group health or disability plans; require many employers to allow employees time off to care for a sick domestic partner; require that a domestic partner be given preference when conservatorship is being considered for a person; add domestic partners to the statutory will form; remove the income tax liability for employer provided domestic partner health insurance; and allow people to receive unemployment insurance, under certain circumstances, when they quitting a job to follow a domestic partner.

AB 25 also remedies a problem created by AB 26, which allowed certain retirees from state and local government to add their domestic partners to their employer-provided health insurance. According to AB 26, if the retiree dies first, the partner's insurance is terminated. This termination would not happen if they were married. AB 26 says the insurance can continue if the retiree has chosen a retirement option that allows retirement checks to continue to the partner even if the retiree dies first.

AB 25 has been approved by the Assembly. We hope it will have passed the Senate Judiciary Committee by the time you read this article. We need you to send letters of support to the Senate Appropriations Committee. ###

## Poor People, Rural Residents in Need of Medical Specialists

by Boyce Hinman, Chief Lobbyist

There is a medical crisis in our state. The number of physicians per patient has declined steadily until California is ranked twelfth in the nation for the patient-doctor ratio. We have only 214 physicians per 100,000 residents of California.

Medical specialists are also in short supply, particularly in the fields of pediatric medicine, neurosurgery, and orthopedic surgery. These specialists are, in particular, often needed by the elderly and children. So these groups suffer greatly because of the shortage.

Obviously medical specialists are also rare in poor inner-city neighborhoods and rural districts. People in these areas must travel many miles to find necessary specialists and often go without critical care for many months.

Physicians across the state have responded to the crisis by organizing mercy missions to provide necessary specialist care to those who have difficulty finding it. However, funding is needed to provide the necessary financial support to these programs. AB 548 proposes to provide the funds by having the State Department of Health establish a Specialty Care Access Program to provide care in undeserved areas. The Department would seek private funding to pay for the program. AB 548, "Specialty Care for Low-Income Persons," was introduced by Assemblymember George Runner (R-Lancaster).

We think this is a good concept that would incur a tiny administrative cost to the state. Please write to the Senate Appropriations Committee and urge them to vote for the bill.

###

*Lavender  
Valentines*

Gwendelynn Peace & Phyllis Hanniver

4 years

• Congratulations! •

## Support Tax-Exempt Status for Nonprofit Thrift Stores

By Marty Martinez, AIDS Project East Bay

Thrift stores and other establishments that sell products and use those proceeds to fund medical and support services for persons with HIV/AIDS are exempt from state sales and use taxes. This tax exemption will expire in January 2002, unless the legislature passes AB 180, "Sales and Use Tax Exemption: Charitable Thrift Stores," by Gil Cedillo (D-Los Angeles).

AB 180 makes permanent this tax exemption for thrifts that raise money for persons with HIV/AIDS and also expands the number of thrift stores eligible to take the exemption. It also includes stores that raise money for persons suffering from other terminal or chronic diseases. More information on the bill can be found on the LLP Web site under "Links."

The bill has already passed the Assembly without any opposition and will likely be heard in the Senate by the time this article reaches you. The real challenge will be convincing Governor Gray Davis to sign AB 180. The state faces a tough budget crunch as a result of an ailing economy and the energy crisis—which have drained the state budget of what once was a sizeable surplus.

The Governor, who is fiscally conservative, will need additional pressure on him to keep this tax exemption in place. Please sign and send him the enclosed letter supporting AB 180.

###

**PHOTOGRAPHY**  
*by Larry*

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## Update: Comparable Worth Statistics

by Adrienne Lauby

Last month we told you about AB 43, "Study on Pay Equity" by Assemblymember Herb Wesson (D-Culver City/LA), a bill of great importance to women in state government and to their desire to achieve pay equity with their male coworkers. We are happy to report that this bill was approved by the State Assembly and the Senate Public Employees Committee. It will be heard in the Senate Appropriations Committee on July 9th. We are hopeful that it will be approved by that committee and sent to the floor of the Senate for a final vote in that house.

As we reported last month, in the early 1960s feminists documented women's earnings at 59¢ per male dollar. Since then, according to Women in Action, feminists of both genders have fought hard to narrow the gap by less than half a penny a year to 72¢. Three decades of prejudice is shocking, yet the statistic hides an even more repugnant truth—that the wage gap has gotten worse for specific groups of women. Hispanic women, for instance, make only 52¢ on the male dollar.

The National Committee on Pay Equity says we could end gender difference in education and experience tomorrow without touching one-quarter to one-half of the wage gap. As long as women earn 72¢ on the male dollar, as long as African-American men earn 81¢ on white men's earnings, as long as childcare workers (98% female) are paid less than amusement park attendants and car washers, we will support not only the concept of comparable worth but the fight to end sex and race discrimination entirely.

AB 43 requires a study to gather gender and wage statistics from California's civil service and higher education systems. It would give the California Commission on the Status of Women the go-ahead to hire experts for a study to recommend practical solutions for the wage gap in these institutions.

This bill would strengthen the commission and give us the information necessary to improve the wages of thousands within these systems. If implemented, these improvements would lift expectations and standards in the private sector. We urge you to write to your senator in support of AB 43.   ###

# July Legislative Update

Money, money, money makes the world go 'round. But sometimes it makes the world stop.

Many state bills are dying or being put off until next year because the state government is being drained of money to pay for electricity. Legislators don't think there is enough money left to pay for other legislation. Sadly, huge amounts of money are being cut from important education, health, and other programs. Many bills on other important issues are just being dropped.

However, the legislators are not cutting their own salaries. So the real criteria for whether a bill gets dropped or not is how important it seems to legislators. Bills on which they get lots of calls and letters from the people in their districts will also seem important to them.

In May Lambda Letters' members and friends sent about 38,000 letters and e-mail messages to legislators on the bills we track. You can all take a bow for the part you played in that. Now it's important to continue keeping the pressure up. Write letters to your legislators. Help us keep up the pressure on the bills that are important to the communities we serve.

As you will see, many of the bills in this list were to be voted on in late June. Go to our Web site to see how the votes went. The results of the late-June votes should appear on our site in mid-July. To see the list, go to [www.lambdaleters.org](http://www.lambdaleters.org) and click on the Legislative Update button.

Here is a list of the bills we have found so far (as of late June) that relate to our four issue areas.

## ***HIV/AIDS Issues***

### **AB 142 (Stuart Richman, R-Granada Hills)**

**Purpose:** To prohibit healthcare plans from forcing physicians to pay the cost of certain healthcare services.

**Status:** Approved by the Senate Insurance Committee and sent to the Senate Appropriations Committee. No hearing date set yet.

**LLP Position:** Support.

### **AB 276 (Carole Migden, D-San Francisco)**

**Purpose:** To extend to two years a limitation to issue accusations of violations of the right to be free from violence, intimidation, or threats of intimidation, including for persons claimed to be aggrieved by HIV discrimination.

## ***See Copies of State Bills***

**View any state bill on the Lambda Letters Project Web site! Go to [www.lambdaleters.org](http://www.lambdaleters.org) and click on the Legislative Update button. Click on the bill number you're interested in and choose "HTML" to view it.**

**Status:** Approved by the Assembly and sent to the Senate Judiciary Committee for a hearing on June 26.

**LLP Position:** Support, requesting addition of gender to the list of prohibited bases of intimidation.

### **AB 916 (Fred Keeley, D-Santa Cruz)**

**Purpose:** To expand the existing requirement for school-based AIDS prevention instruction to include instruction on sexually transmitted infection; and require related instructional materials to be medically accurate and free of ethnic, gender, and racial biases.

**Status:** Approved by the Assembly and sent to the Senate Education Committee for a hearing on July 11.

**LLP Position:** Support.

### **AB 937 (Paul Koretz, D-West Hollywood)**

**Purpose:** To require every healthcare service plan that covers hospital, medical, or surgical expenses to develop a plan establishing risk-adjusted capitated rates for the reimbursement of providers for the treatment of enrollees infected with HIV. Would require the Department of Health Services to develop risk-adjusted capitated rates for treatment of Medi-Cal recipients infected with HIV, in accordance with specified requirements.

**Status:** Approved by the Assembly and sent to the Senate Health and Human Services Committee for a hearing on June 27.

**LLP Position:** Support.

### **AB 1263 (Carole Migden, D-San Francisco)**

**Purpose:** To allow the state to establish a rapid HIV testing process at designated sites. Test results would be made available to the person in the same appointment at which the test was done.

**Status:** Approved by the Assembly and sent to the Senate Health and Human Services Committee for a hearing on July 5.

**LLP Position:** Support.

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## Legislative Update

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### AB 1292 (Dion Aroner, D-Berkeley)

**Purpose:** To allow people to purchase and possess intravenous needles and syringes without a prescription. Requires that pharmacies provide purchasers with information regarding safe disposal of syringes.

**Status:** Referred to Assembly Health Committee.

Made a two-year bill.

**LLP Position:** Support.

### SB 37 (Jackie Speier, D-San Mateo)

**Purpose:** To require healthcare service plans and certain disability insurers to provide coverage for all healthcare services related to the treatment of an enrollee or insured in clinical trials for new cancer medications. The study participant must have been diagnosed with cancer.

**Status:** Passed by the Assembly Health Committee and sent to the Assembly Appropriations Committee. No hearing date set yet.

**LLP Position:** Support.

### SB 187 (John Vasconcellos, D-Santa Clara)

**Purpose:** To require the State Department of Health to establish and maintain a voluntary program for the issuance of registry identification cards to qualified medical marijuana patients, and to establish procedures under which a patient with the card could use marijuana for medical purposes. NOTE: A recent US Supreme Court decision stated that, in spite of Proposition 215, a person may be prosecuted under federal law for possession of marijuana. The court said medical necessity does not justify possession. So signing up for a marijuana registry card may be signing a confession to

violation of federal law.

**Status:** Approved by the Senate and sent to the Assembly Health Committee for a hearing on July 10.

**LLP Position:** Oppose.

### SB 446 (John Vasconcellos, D-Santa Clara)

**Purpose:** To require that a healthcare plan or contract with the Board of Administration of the Public Employee's Retirement System shall not exclude from coverage any vaccine for AIDS that is approved by the federal Food and Drug Administration.

**Status:** Approved by the Senate and sent to the Assembly Public Employees and Social Security Committee for a hearing on July 11.

**LLP Position:** Support.

### SB 622 (Deborah Ortiz, D-Sacramento)

**Purpose:** To allow the Women, Infants, and Children (WIC) supplemental nutrition branch of the State Department of Health Services to issue grants to local entities to provide certain dental services and information.

**Status:** Approved by the Senate and sent to the Assembly Human Services Committee for a hearing on June 26.

**LLP Position:** Support.

## Lesbian/Gay/Bisexual/Transgender Issues

### AB 25 (Carole Migden, D-San Francisco)

**Purpose:** To allow opposite-gender senior citizen couples to register as domestic partners if one of them is over 62 (currently both must be over 62); allow people to make medical decisions for their partners under certain circumstances; require certain insurers to offer domestic partner coverage in their group health or disability plans; require many employers to allow employees time off to care for a sick domestic partner; require that a domestic partner be given preference when conservatorship is being considered for a person; add domestic partners to the statutory will



Carole Migden

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## Legislative Update

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form; remove the income tax liability for employer-provided domestic partner health insurance; allow people to receive unemployment insurance, under certain circumstances, when they quit a job to follow a domestic partner. The bill reverses the feature of AB 26, passed in 1999, which allows state and local governments to offer health insurance to the domestic partners of their retirees, but which terminates the insurance for the partner if the retiree dies first.

**Status:** Approved by the Assembly and sent to the Senate Judiciary Committee. No hearing date set yet.

**LLP Position:** Support.

### AB 64 (Elaine Alquist, D-Santa Clara)

**Purpose:** To provide a state income tax deduction for the premiums paid by a taxpayer for long-term care insurance on the taxpayer and his or her spouse and dependents. Alquist may add domestic partners to the bill at the request of Lambda Letters.

**Status:** Died in the Assembly Revenue and Taxation Committee.

**LLP Position:** Support if domestic partners are added alongside spouse.

### AB 79 (Sally Havice, D-Cerritos)

**Purpose:** To require schools to prepare plans for protecting the safety of students against bullying by their classmates (a big problem for queer youth) and plans for conflict resolution.

**Status:** Approved by the Assembly and sent to the Senate Education Committee for a hearing on June 27.

**LLP Position:** Support.



Sally Havice

### AB 194 (John Longville, D-San Bernardino)

**Purpose:** To clarify the process to be used by California courts when certain postoperative transsexuals request legal recognition of their new sex.

**Status:** Passed by Assembly and sent to the Senate Judiciary Committee for a hearing on July 10.

**LLP Position:** Support. Lambda Letters is the bill's sponsor.

### AB 1193 (Darrell Steinberg, D-Sacramento)

**Purpose:** To provide that an insurer issuing policies protecting against certain residential, liability, and commercial risks may not cancel or refuse to renew a policy solely on the basis that one or more claims have been made against the policy, during the previous 60 months for a loss that is the result of a hate crime committed against a church, nonprofit or a related entity. Would require insurance companies to report these claims to the State Insurance Commissioner under certain circumstances. Bill is now supported by the insurance industry.

**Status:** Approved by the Senate Insurance Committee and sent to the Senate Appropriations Committee. No hearing date set yet.

**LLP Position:** Support.

### AB 1278 (Howard Wayne, D-San Diego)

**Purpose:** To make a number of technical but helpful changes to the laws regarding probate and regarding healthcare decision-makers when the patient is unable to make decisions for him- or herself. Specifically permits a domestic partner to make healthcare decisions for a patient in a facility that employs the domestic partner, as long as the partner is not the supervising healthcare provider for the patient.

**Status:** Approved by the Assembly and referred to the Senate Judiciary Committee for a hearing on July 3.

**LLP Position:** Support.

### AB 1326 (Denis Mountjoy, R-Arcadia)

**Purpose:** To prohibit the promotion of homosexuality in public education.

**Status:** Assigned to Assembly Education Committee. Hearing cancelled at request of author. Is a two-year bill.

**LLP Position:** Oppose.



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## Legislative Update

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### AB 1338 (Paul Koretz, D–West Hollywood)

**Purpose:** To establish a legal entity called a civil union, similar to that established in Vermont. Allows two adults to enter a civil union. Does not require that they be of opposite sexes. Declares that the rights and responsibilities of those who enter a civil union shall be the same as for those who get married.

**Status:** Referred to Assembly Judiciary Committee. Made a two-year bill.

**LLP Position:** Support.

### AB 1395 (Roy Ashburn, R–Bakersfield)

**Purpose:** To provide funding for counseling of adoptive parents and children, including issues that arise during the adoptive child's adolescence.

**Status:** Failed in the Assembly Appropriations Committee. Bill is dead for this year.

**LLP Position:** Watch.

### AB 1649 (Jackie Goldberg, D–Los Angeles)

**Purpose:** To amend California's Fair Employment and Housing Act to ban employment and housing discrimination against transgendered people.

**Status:** Approved by the Assembly and sent to the Senate Judiciary Committee for a hearing on July 3.

**LLP Position:** Support. Lambda Letters is a sponsor of the bill.

### SB 143 (Kevin Murray, D–Los Angeles)

**Purpose:** To require the Attorney General to provide grants to community-based hate violence prevention and response networks.

**Status:** Failed in the Senate Appropriations Committee. Is a two-year bill.

**LLP Position:** Support.

### SB 144 (Kevin Murray, D–Los Angeles)

**Purpose:** To require the Attorney General to establish, operate, and publicize a toll-free telephone number and a Web site to allow victims and witnesses to report hate crimes.

**Status:** Failed in Senate Public Safety Committee.

**LLP Position:** Support.



Kevin Murray

### SB 381 (Wesley Chesbro, D–Arcata)

**Purpose:** Current law requires city and county Human Relations Commissions to promote mutual understanding and respect of certain groups in society. This bill adds certain groups to the groups listed in current law. The new list includes people of all sexual orientations, but does not include people of all gender identities. We have asked Senator Chesbro to add gender identity to the list. At the request of Lambda Letters, gender has been added to this bill.

**Status:** Approved by the Assembly Judiciary Committee and sent to the floor of the Assembly for a final vote in that house.

**LLP Position:** Support.

### SB 1049 (Jackie Speier, D–San Mateo)

**Purpose:** To provide that in San Mateo County, subject to the approval of the board of supervisors, death benefits and survivor's allowances may be payable to a member's surviving domestic partner, as specified.

**Status:** Passed by the Assembly Public Employees Retirement and Social Security Committee and sent to the floor of the Assembly for a final vote in that house.

**LLP Position:** Support.



Jackie Speier

### SB 1121 (Bob Margett, R–Arcadia)

**Purpose:** To provide a tax credit of 40 percent, subject to federal income tax laws, for corporations that hire qualified state disability insurance recipients, including individuals with HIV and AIDS. Also to provide extended unemployment compensation disability insurance for an additional 26 times an individual's weekly benefit amount to complete approved job training or occupational rehabilitation, as specified.

**Status:** Made a two-year bill. It will not be acted upon until next year because the energy crisis is draining the state's financial reserves. Bill will be reconsidered next year once the state's financial picture is clearer.

**LLP Position:** Support.

## People of Color Issues

### AB 5 (Thomas Calderon, D–Montebello)

**Purpose:** To prohibit an insurer from refusing to issue

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## Legislative Update

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or renew insurance on a private passenger car solely on the basis of a consumer credit report.

**Status:** Approved by the Assembly and sent to the Senate Insurance Committee. No hearing date set yet.

**LLP Position:** Support.

### AB 8 (Gil Cedillo, D–Los Angeles)

**Purpose:** To allow the state to make grants and loans of up to \$55,000 for reconstruction of commercial and industrial buildings in certain downtown areas, when the buildings will provide low-cost rental housing.

**Status:** Passed by the legislature and signed by the Governor.

**LLP Position:** Support.

### AB 14 (Jackie Goldberg, D–Los Angeles)

**Purpose:** To state the intent of the Legislature to examine the state school facilities program to ensure that allocation formulas reflect the current and future needs for public kindergarten to 12th grade and to examine and assess the needs of the higher educational system, including funding distributions.

**Status:** Approved by the Assembly and sent to the Senate Education Committee for a hearing on July 11.

**LLP Position:** Neutral.

### AB 32 (Keith Richman, R–Chatsworth)

**Purpose:** To create the Cal-Health program, which would result in coordination of the Healthy Families and Medi-Cal programs, by providing a uniform and simplified application process; and to expand eligibility under these programs to additional uninsured persons. The bill would require the state to apply to the federal government for waivers to allow federal funds to be used in that regard but would allow funding of expanded eligibility through state-only funding in the meantime.

**Status:** Approved by the Assembly and sent to the Senate Health and Human Services Committee for a hearing on July 5.

**LLP Position:** Support.

### AB 39 (Helen Thomson, D–Woodland)

**Purpose:** To allow a tax credit, under certain circumstances, to small employers who pay all or part of the cost of health insurance for their employees.

**Status:** Referred to Assembly Revenue and Taxation Committee. Made a two-year bill.

**LLP Position:** Support.

### AB 42 (Howard Wayne, D–San Diego)

**Purpose:** To establish a state-funded colorectal cancer screening program to be provided to uninsured or underinsured persons, over the age of 50 and with incomes at or below 200 percent of the federal poverty level.

**Status:** Approved by the Senate Health and Human Services Committee and sent to the Senate Appropriations Committee. No hearing date set yet.

**LLP Position:** Support.

### AB 48 (Carl Washington, D–Paramount)

**Purpose:** To require the state to implement a three-year demonstration project to make grants to eligible alcohol and drug integrated treatment services networks, as defined, in certain counties.

**Status:** Bill is being amended to specify that funding will come from general funds of the state. Approved Failed passage in the Assembly Appropriations Committee. The bill is dead for this year.

**LLP Position:** Support.

### AB 51 (Kevin Shelley, D–San Francisco)

**Purpose:** To require schools to notify parent or guardians when lead is found in the paint in schools.

**Status:** Approved by the Assembly and sent to the Senate Environmental Quality Committee for a hearing on July 2.

**LLP Position:** Support.

### AB 59 (Gil Cedillo, D–Los Angeles)

**Purpose:** To expand eligibility of children in low-income families for health insurance coverage through the Healthy Families Program. Children are eligible if they are receiving food stamps or participating in the California Special Supplemental Food Program for Women, Infants, and Children; Head Start; or the federal school lunch program. The bill requires new procedures to encourage enrollment in the Healthy Families Program.

**Status:** Approved by the Assembly and double referred to the Senate Health and Human Services (H&HS) Committee and the Senate Insurance Committee. Will be heard in the H&HS Committee on June 27.

**LLP Position:** Support.

### AB 108 (Virginia Strom-Martin, D–Duncan Mills)

**Purpose:** To require the state to issue a pharmacy

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license to authorize the operation of a pharmacy located on the land of a recognized Indian tribe without a pharmacist licensed under California's pharmacy law subject to certain conditions, which would include a requirement for any pharmacist employed by the pharmacy to possess a license to practice pharmacy issued by another state or territory of the United States. It is often difficult to find pharmacists willing to work on Indian reservations. Most other states recognize each others' pharmacy licenses. Only Florida and California do not. Allowing pharmacists with licenses from other states to work on Indian reservations increases the pool of candidates and increases the chance of finding someone qualified who is willing to work on the reservation.

**Status:** Assembly Health Committee Chair refused to let the bill be heard because of opposition from California Board of Pharmacy and the Pharmacy industry. Is dead for this year.

**LLP Position:** Support.

### AB 114 (Carl Washington, D-Paramount)

**Purpose:** To provide state funds for grants to residents of cities with populations of over two million to do home repairs to bring their homes into conformance with the city's building codes.

**Status:** Referred to Assembly Committee on Housing and Community Development. Is a two year bill.

**LLP Position:** Support.

### AB 127 (Marco Firebaugh, D-Los Angeles)

**Purpose:** To designate the California Police Activities League, in consultation with the California Department of Parks and Recreation, to coordinate, plan, and help implement a statewide youth enrichment sports program to combat juvenile delinquency. Would make grants available to local organizations which establish such programs.

**Status:** Failed in Assembly Appropriations Committee.

**LLP Position:** Support.

### AB 144 (Gil Cedillo, D-Los Angeles)

**Purpose:** To allow the exclusion of the value of a car from being considered when determining whether or not

a low-income person qualifies for certain publicly funded social service programs. An additional car would be excluded from consideration when more than one adult lives in the home and at least one adult reports earned income.

**Status:** Approved by the Assembly and sent to the Senate Health and Human Services Committee for a hearing on June 27.

**LLP Position:** Support.

### AB 198 (Lou Correa, D-Anaheim)

**Purpose:** To declare legislative intent to create alternatives for Native American tribes in California to finance and develop infrastructure and public works. Many Indian reservations need considerable improvement to schools roads and other infrastructure. Alternatives, beyond gambling casinos, are needed to finance these improvements.

**Status:** Has been made a two-year bill.

**LLP Position:** Support.

### AB 423 (Robert Hertzberg, D-Van Nuys)

**Purpose:** Farm labor contractors, and the people they employ to act as farm labor contractors, must be licensed by the California Labor Commissioner. This bill requires the farm labor contractor to be sure that employees acting for them have a valid current license. It also requires farmers to determine that farm labor contractors have the necessary license before entering into a contract with them

**Status:** Approved by the Assembly and sent to the Senate Labor and Industrial Relations Committee for a hearing on June 27.

**LLP Position:** Support.



*Robert Hertzberg*

### AB 503 (Virginia Strom-Martin, D-Duncan Mills)

**Purpose:** To establish a grant program for public schools in California to develop, expand, and strengthen dual-language education programs. These programs are taught in both English and a minority language. It allows English language-native children to

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become proficient in both English and another language. It allows other students to become proficient in both their native language and English.

**Status:** Held in the Assembly Appropriations Committee. Is a two-year bill.

**LLP Position:** Support.

### AB 540 (Marco Firebaugh, D-East Los Angeles)

**Purpose:** To allow all graduates of California high schools, under specified conditions, to pay the California resident tuition rate for attending a California public college or university. Would allow many immigrant students, who now must pay the much higher nonresident tuition, to pay the resident tuition instead.

**Status:** Approved by the Assembly and sent to the Senate Education Committee for a hearing on June 27.

**LLP Position:** Support.

### AB 548 (George Runner, R-Lancaster)

**Purpose:** To require the State Department of Health Services to establish a specialty care program for persons who have had problems accessing specialty care.

**Status:** Approved by the Senate Health and Human Services Committee and sent to the Senate Appropriations Committee. No hearing date set yet.

**LLP Position:** Support.

### AB 596 (Gloria Negrete McLeod, D-Montclair)

**Purpose:** To require the Department of Corrections to test all inmates for hepatitis C 60 days prior to being paroled, as specified. This bill would also require

inmates who test positive for the virus to complete a hepatitis C education program administered by the Department of Corrections. Would also require the department to see if an inmate, who tests positive for hepatitis, qualifies for veteran's health benefits and to inform the inmate if he or she qualifies.

**Status:** Referred to Assembly Public Safety Committee. Hearing cancelled at author's request. Bill is dead for this year.

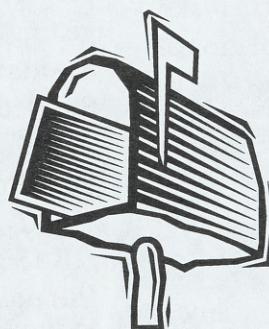
**LLP Position:** Support.

### AB 675 (Migden, D-San Francisco)

**Purpose:** To provide for improved due process and notification procedures involving the compassionate release of prisoners with HIV/AIDS or other diseases who have twelve months or fewer to live and who are deemed not to be a threat to the public.

**Status:** Approved by the Senate Public Safety Committee and sent to the Senate Appropriations Committee for a hearing on July 9.

**LLP Position:** Support.



### AB 698 (Herb Wesson, D-Los Angeles)

**Purpose:** To create the Office of Immigrant Assistance in the office of the Attorney General to provide education and outreach services, as defined, to the resident immigrant community of the state. Would also require that the information developed for these purposes be printed or broadcast in any language deemed necessary to reach immigrant communities.

**Status:** Approved by the Assembly and sent to the Senate Judiciary Committee for a hearing on July 10.

**LLP Position:** Support.

### AB 763 (Kevin Shelley, D-San Francisco)

**Purpose:** To require that information and materials provided over the Internet explaining services available from a state agency, or notice of availability of materials made in electronic form consistent with use over the Internet, shall be translated into any non-English language spoken by a substantial number of people served by the agency, and also distributed through any applicable Web sites under those circumstances.

**Status:** Is being dropped by the author. The provisions of this bill are being added to AB 805.

**LLP Position:** Support.

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## Legislative Update

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### AB 788 (Marco Firebaugh, D-East Los Angeles)

**Purpose:** To broaden the definition of racial profiling by state or local police. Provides for money damages from law-enforcement personnel and public agencies to victims of racial profiling. Requires state and local police forces to report traffic stops and to include data about the stops relating to possible racial profiling. Specifies that such reports not include information by which the person stopped could be identified. Would also make police officers and their agencies liable for violation of racial profiling laws.

**Status:** Did not make it out of the Assembly. The bill is dead for this year.

**LLP Position:** Support.



Marco  
Firebaugh

### AB 800 (Herb Wesson, D-Los Angeles)

**Purpose:** To prohibit employers from requiring any particular language to be spoken in the workplace unless there is a business need for it.

**Status:** Approved by the Assembly and sent to the Senate Judiciary Committee for a hearing on July 10.

**LLP Position:** Support.

### AB 805 (Kevin Shelley, D-San Francisco)

**Purpose:** To require each state agency that maintains a Web site to provide links on the home page of its Web site to appropriate non-English information, including information at least in Spanish and Chinese, consistent with the requirements of the Dymally-Alatorre Bilingual Services Act.

#### Discrimination Complaints

Have you experienced employment discrimination because of your actual or perceived sexual orientation or because of your age (40 and over), ancestry, color, creed, disability, marital status, medical condition, national origin, race, religion, or sex? Have you been denied family and medical care leave or pregnancy disability leave?

If so, you may register a complaint with the Department of Fair Employment and Housing. In cases of employment discrimination, call the department at (800) 884-1684. In cases of housing discrimination, call (800) 233-3212.

The person answering the phone will schedule an appointment for you at the Department of Fair Employment and Housing Office which is closest to your home or place of employment.

**Status:** Failed in the Assembly Appropriations Committee. Dead for this year.

**LLP Position:** Support.

### AB 989 (Wilma Chan, D-Oakland)

**Purpose:** Existing law requires the State Department of Social Services to establish programs to provide food assistance and cash assistance for noncitizens who, due to their immigration status, are not eligible for federal food stamps and for SSI/SSP benefits, and specifies that an applicant who is otherwise eligible for the program but entered the United States after August 22, 1996, and who is not otherwise exempt, shall be eligible for assistance for the period beginning on October 1, 1999, and ending September 30, 2001. This bill would eliminate the termination date of that period of eligibility. People in need could continue getting assistance.

**Status:** Approved by the Senate Health and Human Services Committee and sent to the Senate Appropriations Committee. No hearing date set yet.

**LLP Position:** Support.

### AB 1321 (Dion Aroner, D-Berkeley)

**Purpose:** To create the Health Utilities Board which would be charged with providing comprehensive, quality health care to all Californians and controlling health care costs through rate setting, eliminating waste and inefficiency, and achieving public accountability for meeting standards of high quality care.



Dion Aroner

**Status:** Referred to Assembly Health Committee. Made a two-year bill.

**LLP Position:** Support.

### AB 1423 (Helen Thomson, D-Davis)

**Purpose:** To include licensed marriage and family therapist, and clinical social worker, services within the scope of Medi-Cal covered benefits to the extent that federal matching funds are available, including home- and community-based services approved by the Department of Health and Human Services for beneficiaries with a diagnosis of AIDS (or ARC) who require intermediate care or a higher-level of care.

**Status:** Approved by the Assembly and sent to the

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Senate Health and Human Services Committee. No hearing date set yet.

**LLP Position:** Support.

**ABX13** (Roderick Wright, D–South Central Los Angeles)

**Purpose:** To require the California Public Utilities Commission to take steps to increase participation in the CARE Program, an electric and gas payment assistance program for low-income people.

**Status:** Signed by Governor.

**LLP Position:** Support.

**ACR 17** (George Nakano, D–Torrance)

**Purpose:** To declare February 19, 2001, as a Day of Remembrance in order to increase public awareness of the events surrounding the internment of Americans of Japanese ancestry during World War II.

**Status:** Signed by Governor Davis.

**LLP Position:** Support.



**SB 21** (Martha Escutia, D–Norwalk)

**Purpose:** To require school districts to inspect all schools constructed prior to 1992 for lead hazards and to devise an appropriate abatement plan, where necessary; require the Department of Health Services to provide technical assistance; require the school district to carry out the abatement of lead hazards; and require school districts, subject to funding being made available, to provide training to maintenance workers to enable them to properly identify and abate lead hazards.

**Status:** Approved by the Senate and sent to the Assembly Environmental Safety and Toxic Materials Committee for a hearing on June 26.

**LLP Position:** Support.

**SB 30** (Wesley Chesbro, D–Arcata)

**Purpose:** To require the State Department of Mental Health, the Department of Finance, and the Office of the Legislative Analyst to form a workgroup to study various options to restructure mental health services

and funding in California, and would require the workgroup to make recommendations to the Legislature and Governor Davis on or before January 31, 2002. People of color certainly have no more mental health problems than anyone else. However, they are among the most uninsured in the state and whatever insurance is available often has little or no mental health coverage.

**Status:** Approved by the Senate and sent to the Assembly Health Committee for a hearing on June 26.

**LLP Position:** Support.

**SB 41** (Deirdre Alpert, D–San Diego)

**Purpose:** To require the State Librarian to allocate grants to develop Native American instructional materials for public schools.

**Status:** Approved by the Senate. Sent to the Assembly. Assigned to the Assembly Education Committee for a hearing on July 11.

**LLP Position:** Support.

**SB 59** (Martha Escutia, D–Norwalk)

**Purpose:** To authorize demonstration projects to allow healthcare coverage for immigrants, homeless individuals,

people living with HIV/AIDS, and other populations currently facing health disparities. The bill would authorize grants to healthcare providers and community-based clinics to organize into formalized networks that provide healthcare services to migrant populations as they move through the state during the year. The bill would authorize grants to establish demonstration projects that would assist healthcare providers in developing enabling programs making the targeted groups aware of the healthcare programs available to them.

**Status:** Died in the Senate Appropriations Committee.

**LLP Position:** Support.

**SB 98** (Sheila Kuehl, D–Santa Monica)

**Purpose:** To permit certain cities and counties to contract with the State Department of Mental Health and the State Department of Alcohol and Drug Programs, jointly, to provide specified services under the Medi-Cal program to low-income persons with a dual

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## Legislative Update

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diagnosis of alcohol or drug addiction and serious, persistent mental illness.

**Status:** Died in the Senate Appropriations Committee.

**LLP Position:** Support.

### **SB 410** (Sheila Kuehl, D-Santa Monica)

**Purpose:** To prohibit employers from requiring employees to agree to arbitrate any claim arising under the California Fair Employment and Housing Act. Would prohibit employers from firing, harassing, expelling, or otherwise discriminating against an employee for refusing to agree to such arbitration.

**Status:** Referred to the Senate Judiciary Committee for a hearing on April 17. Hearing cancelled by author. Is a two-year bill.

**LLP Position:** Support.

### **SB 987** (Martha Escutia, D-Norwalk)

**Purpose:** To require proper implementation of the previously passed Dymally-Alatorre Act. That act required state and local agencies to offer their services in languages other than English when there is a significant need. Surveys have found that many agencies are not complying with the earlier act.

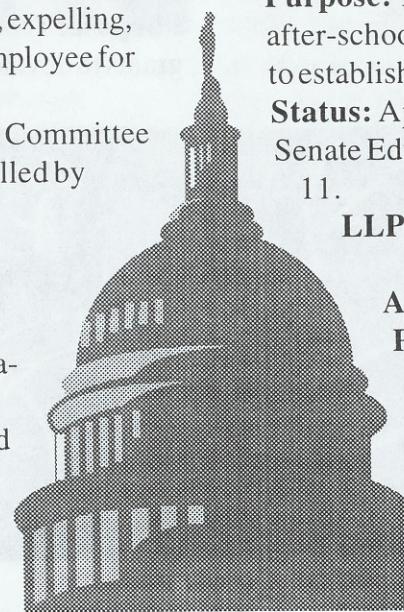
**Status:** Approved by the Senate and sent to the Assembly. Not assigned to a committee yet.

**LLP Position:** Support.

## Women's Issues

### **AB 4** (Patricia Bates, R-Laguna Nigel)

**Purpose:** To require people convicted of certain sex offenses to register with the campus chief of police and with the local chief of police or sheriff for the rest of their lives and whenever they enroll in any university, college, or community college. This bill would also revise the current registration provisions, involving university and college campuses, to include transients



and employees at these institutions and to require registrants to appear personally to notify the campus police department within five working days of changing his or her location or of ceasing to be enrolled or employed at the college or university.

**Status:** Passed by the Assembly and sent to the Senate. Assigned to the Senate Public Safety Committee for a hearing on July 10.

**LLP Position:** Support.

### **AB 6** (Tony Cardenas, D-Mission Hills)

**Purpose:** To permit schools to establish before- and after-school enrichment programs for children, and to establish maximum grants for these programs.

**Status:** Approved by the Assembly and sent to the Senate Education Committee for a hearing on July 11.

**LLP Position:** Support.

### **AB 43** (Herb Wesson, D-Los Angeles)

**Purpose:** To require the Commission on the Status of Women to evaluate the compensation and classification plans for state civil service and related employees and the employees of the University of California, Hastings College of the Law, and the California State University and to determine where compensation and classification inequities

exist, based on comparability of the value of work. It would require the commission to report to the Legislature and the parties meeting and conferring under the Ralph C. Dills Act.

**Status:** Approved by the Assembly Public Employees Retirement and Social Security Committee. Approved by the Assembly and sent to the Senate Public Employees Committee for a hearing on June 25.

**LLP Position:** Support.

### **AB 130** (Tony Cardenas, D-Sylmar)

**Purpose:** To expand and reorganize a state-funded family planning program to make it a comprehensive preventive and health screening program for low-income women under 65. Would provide funding for family planning services, but specifically excludes funding for abortion-related services or advice. Current law already prohibits spending for abortions and this law leaves that provision unchanged.

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## Legislative Update

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**Status:** Approved by the Assembly and sent to the Senate. Author decided to drop the bill for this year.

**LLP Position:** Support with reservations about the abortion issue.

### AB 160 (Patricia Bates, R—Laguna Niguel)

**Purpose:** To specify that a restraining order or protective order has precedence over any civil court order pertaining to the same persons. Would prohibit criminal courts with jurisdiction over civil matters from issuing orders that are not in compliance with a restraining or protective order issued against a defendant in a domestic violence criminal case. Would prohibit courts with jurisdiction over domestic violence criminal cases from issuing restraining or protective orders against a defendant that allow a civil court to compromise the protections provided by the order. Would provide that restraining or protective orders issued in domestic violence criminal cases shall state the date on which they expire.

**Status:** Approved by the Assembly and sent to the Senate. Double referred to the Senate Public Safety Committee and the Senate Judiciary Committee. Will be heard in the Senate Public Safety Committee on July 3.

**LLP Position:** Support.



Patricia Bates

### AB 180 (Gil Cedillo, D—Los Angeles)

**Purpose:** To exempt from state sales tax items sold by a thrift store in support of an agency that provides services to people with cancer or a terminal illness.

Current law already provides an exemption for thrift stores that support agencies that serve people with HIV or AIDS. This bill eliminates the ending date for the tax exemption which is in current law.

**Status:** Approved by the Assembly and sent to the Senate Revenue and Tax Committee for a hearing on June 27.

**LLP Position:** Support.



Gil Cedillo

### AB 731 (Howard Wayne, D—San Diego)

**Purpose:** To clarify and strengthen the rules for enforcing restraining orders that were issued by courts outside of California.

**Status:** Passed by Assembly and sent to the Senate Judiciary Committee for a hearing on June 26

**LLP Position:** Support.

### SB 66 (Sheila Kuehl, D—Santa Monica)

**Purpose:** To require the court, when considering issuance of a protective order, to search specified records and databases to determine if the proposed subject of the order has any specified prior criminal convictions or outstanding warrants, is on parole or probation, or is or was the subject of other protective or restraining orders. Would require the prosecuting attorney, in all prosecutions of certain crimes when a conviction is obtained, to cause a search to be made of specified databases, for review by the court, to determine if the defendant is the subject of any protective or restraining orders and to notify other courts of the pending prosecution.

**Status:** Approved by the Senate and sent to the Assembly Judiciary Committee for a hearing on June 26.

**LLP Position:** Support.

### SB 217 (Sheila Kuehl, D—Los Angeles)

**Purpose:** To require counties to include the development of services to domestic violence victims in the county CalWORKS plan, and to specify services to assist victims of domestic violence to become self-sufficient. CalWORKS is a program designed to help welfare recipients return to work.

**Status:** Failed in the Senate Appropriations Committee. The bill is dead.

**LLP Position:** Support.

### SB 224 (Jackie Speier, D—San Mateo)

**Purpose:** To require the department of Health Services to submit a state plan amendment to the federal Health Care Financing Administration adopting the optional categorically needy eligibility group described in the federal Breast and Cervical Cancer Prevention and Treatment Act of 2000, thereby providing breast and cervical cancer treatment under the Medi-Cal program, subject to federal financial participation. The optional categorically needy described in the federal bill are low

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## A Moral Issue

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showing their new sex. However, this law is little-known and conveys much less recognition and respect towards transgender people than is provided to lesbians, gays, and bisexuals by AB 26.

A significant turning point for lesbians, gays, and bisexuals occurred in the late 1960s when the Council on Religion and the Homosexual (CRH) was founded in San Francisco. At that time it was common for the police to demand bribes from gay bars and for the police to arrest gays and lesbians just for being in a gay bar or for attending a gay social function. Often the names of those arrested were published in the newspaper. The CRH were an enlightened group of clergy who directly challenged these police practices. Sometimes these clergy people even attended major drag social occasions and challenged the police when the cops tried to break up the event. The actions of the priests and ministers in the Council on Religion and the Homosexual did much to command respect of lesbians and gays. That in turn changed the concept of legal protections for lesbians and gays from being unthinkable to being respectable and even necessary.

We may now be seeing a similar turning point for the transgendered community. Last year AB 2142, a bill to ban employment and housing discrimination, was passed by the State Assembly, but it died in the Senate Judiciary Committee. A bill to do the same thing (AB 1649) was approved by the Assembly in early June. We think it has a good chance of passage in the Senate later this summer.

But something else very interesting has occurred this year. AB 1649 is getting major support from the mainstream religious community. Last spring, the Northern California Nevada Conference of the United Church of Christ endorsed AB 1649. During that same period, the Board of Church and Society of the California-Nevada Conference of the United Methodist

Church also endorsed the bill. In addition they recommended that their full conference endorse AB 1649.

The Methodist Conference held its meeting in mid-June. There were over 1,000 delegates at the conference. At their meeting, they voted, without a single dissenting vote, to support legislation to ban employment and housing discrimination against transgendered people. This is no small event. The United Methodist Church is the second largest Protestant denomination in the United States.

In addition to the above religious support, AB 1649 has been endorsed by the Executive Director of the Council of Churches of Santa Clara County and by several Jewish rabbis and Protestant ministers. More and more people of faith are realizing that discrimination against transgendered people is morally repugnant. This support from varied sections of the faith community may do much for the success of AB 1649. Even beyond that, such support will do much to gain respect and fair treatment for transgendered people in all aspects of their lives.

It is long past time!

You can be sure that Lambda Letters will be doing all that it can to assure the passage of this important legislation.



### See Copies of State Bills

View any state bill on the Lambda Letters Project Web site! Go to [www.lambdaleters.org](http://www.lambdaleters.org) and click on the Legislative Update button. Click on the bill number you're interested in and choose "HTML" to view it.

## Our Families Matter

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Ironically, as the number of same-gender families is rising dramatically, more and more straight families appear to be in trouble. According to the Census Bureau, roughly 90 percent of Americans do marry. However, one in three first marriages end in separation or divorce in the first five years. Forty-three percent of them end within 15 years. Straight marriages have a vast array of social, religious, and legal systems to help ensure a successful marriage, yet more and more such marriages are ending in divorce. I have been together with my lover for almost 31 years. We have dear friends who have been together for 51 years and many same-sex couples we know have been together for 20 years or more.

Same-sex couples have been forming and keeping families in spite of tremendous pressures against them. I remember a straight coworker coming to the office one morning and sadly announcing that his third marriage had just ended in divorce. He then sat down at my desk and asked for my advice on how to build a lasting relationship. We certainly have gotten very little support for our families from society, yet we are forming successful families.

We may well have lessons that we can share with straight people.

###

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income people being given cancer treatment, paid for by the state, but whose circumstances do not allow the state to request matching federal funds to help cover the cost of the treatment.

**Status:** Approved by the Senate and sent to the Assembly Health Committee for a hearing on July 10.

**LLP Position:** Support.

### SB 927 (Martha Escutia, D–Norwalk)

**Purpose:** To require the appointment in domestic violence proceedings, and in other settings mandated by the court, of an interpreter for a person who is deaf or hearing-impaired as well as the appointment of a foreign language interpreter for a person not proficient in English; to require certified sign language interpreters in these proceedings; and to limit the services of foreign language interpreters to certified interpreters. The bill would provide for the waiver of fees for an interpreter for a petitioner who is not proficient in English in domestic violence proceedings, as well as for any person who appears *in forma pauperis* (with court fees waived), or for any other party pursuant to a court order. This bill would also require the Judicial Council to establish additional domestic violence training requirements for interpreters, as specified, and to conduct a public education and notification program

**Status:** Failed in the Senate Appropriations Committee. The bill is dead for this year.

**LLP Position:** Support.

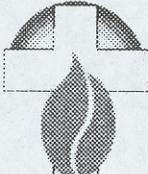
### SB 993 (Liz Figueroa, D–Fremont)

**Purpose:** To increase the amount of money paid by the state to child care centers for the cost of caring for low income children.

**Status:** Approved by the Senate Health and Human Services Committee and referred to the Senate Committee on Education. Has been made a two-year bill.

**LLP Position:** Support.

###

  
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